

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL L. ANDREWS,

Defendant.

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8:05CR75

ORDER

This matter is before the court on the motion [58] of James J. Regan for leave to withdraw as CJA court-appointed counsel for the defendant, Michael L. Andrews. The record shows that retained counsel, Deborah D. Cunningham, has entered an appearance on defendant's behalf (see #57).

IT IS ORDERED:

1. The MOTION FOR WITHDRAWAL AS ATTORNEY [58] is granted. The Clerk shall terminate Mr. Regan's appearance and shall provide a copy of this order to the Office of the Federal Public Defender.

2. Mr. Regan shall forthwith provide Ms. Cunningham with any discovery materials provided the defendant by the government and such other materials obtained by Mr. Regan which are material to the defense, and shall submit his CJA 20 voucher to the Office of the Federal Public Defender on or before **September 9, 2005**.

3. Defendant's MOTION FOR CONTINUANCE [57] is granted. The plea hearing now set for July 27, 2005 is continued to **August 1, 2005 at 2:00 p.m.** The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **July 27, 2005 and August 1, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act due to counsel's scheduling conflicts. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED July 28, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge